

May 17, 2013

REGULAR MEETING AGENDA  
ILLINOIS CIVIL SERVICE COMMISSION  
May 17, 2013

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 1:00 P.M. AT 400 WEST MONROE STREET, SUITE 306, SPRINGFIELD, ILLINOIS

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD APRIL 19, 2013

**WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD ON APRIL 19, 2013?**

IV. PUBLIC COMMENT IN ACCORDANCE WITH THE OPEN MEETINGS ACT

**MEMBERS OF THE PUBLIC ARE OFFERED AN OPPORTUNITY TO ADDRESS MEMBERS OF THE COMMISSION IN ACCORDANCE WITH THE OPEN MEETINGS ACT AND RULES OF THE CIVIL SERVICE COMMISSION.**

V. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

**A. Report on Exempt Positions from Central Management Services**

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging.....	143.....	16
Agriculture .....	321.....	16
Arts Council .....	17.....	2
Capitol Development Board.....	45.....	0
Central Management Services.....	1,511.....	113
Children and Family Services .....	2,745.....	50
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	374.....	69
Commerce Commission .....	77.....	0
Corrections.....	11,185.....	105
Criminal Justice Authority .....	56.....	5
Deaf and Hard of Hearing Comm.....	6.....	1
Developmental Disabilities Council.....	8.....	1
Emergency Management Agency.....	86.....	5
Employment Security.....	1,481.....	31
Environmental Protection Agency.....	811.....	16
Financial & Professional Regulation.....	424.....	43
Gaming Board.....	141.....	6
Guardianship and Advocacy .....	103.....	7
Healthcare and Family Services .....	2,068.....	25
Historic Preservation Agency.....	161.....	14
Human Rights Commission.....	13.....	2
Human Rights Department.....	135.....	9
Human Services .....	11,389.....	77
Illinois Sentencing Policy Advisory Council.....	2.....	2
Insurance .....	225.....	15
Investment Board .....	3.....	2
Juvenile Justice.....	993.....	24
Labor.....	86.....	11
Labor Relations Board Educational.....	10.....	2
Labor Relations Board State.....	18.....	2
Law Enforcement Training & Standards Bd. ....	16.....	2
Lottery.....	142.....	7
Military Affairs .....	117.....	3
Natural Resources .....	1,079.....	27
Pollution Control Board .....	19.....	2
Prisoner Review Board.....	16.....	0
Property Tax Appeal Board.....	28.....	1
Public Health.....	1,075.....	40
Racing Board.....	3.....	1
Revenue.....	1,697.....	51
State Fire Marshal .....	134.....	12
State Police.....	1,093.....	7
State Police Merit Board .....	5.....	1
State Retirement Systems.....	98.....	2
Transportation .....	2,140.....	0
Veterans' Affairs.....	1,285.....	9
Workers' Compensation Commission.....	130.....	8
<b>TOTALS .....</b>	<b>43,718.....</b>	<b>844</b>

**B. Governing Rule – Section 1.142 Jurisdiction B Exemptions**

- a) The Civil Service Commission shall exercise its judgment when determining whether a position qualifies for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code. The Commission will consider any or all of the following factors inherent in the position and any other factors deemed relevant to the request for exemption:
  - 1) The amount and scope of principal policy making authority;
  - 2) The amount and scope of principal policy administering authority;
  - 3) The amount of independent authority to represent the agency, board or commission to individuals, legislators, organizations or other agencies relative to programmatic responsibilities;
  - 4) The capability to bind the agency, board or commission to a course of action;
  - 5) The nature of the program for which the position has principal policy responsibility;
  - 6) The placement of the position on the organizational chart of the agency, board or commission;
  - 7) The mission, size and geographical scope of the organizational entity or program within the agency, board or commission to which the position is allocated or detailed.
- b) The Commission may, upon its own action after 30 days notice to the Director of Central Management Services or upon the recommendation of the Director of the Department of Central Management Services, rescind the exemption of any position that no longer meets the requirements for exemption set forth in subsection (a). However, rescission of an exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status that will insure responsive and accountable administrative control of the programs of the agency, board or commission.
- c) For all positions currently exempt by action of the Commission, the Director of Central Management Services shall inform the Commission promptly in writing of all changes in essential functions, reporting structure, working title, work location, position title, position number or specialized knowledge, skills, abilities, licensure or certification.
- d) Prior to granting an exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the Commission will notify the incumbent of the position, if any, of its proposed action. The incumbent may appear at the Commission meeting at which action is to be taken and present objections to the exemption request.

(Source: Amended at 34 Ill. Reg. 3485, effective March 3, 2010)

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**C. Illinois Department of Natural Resources – Proposed Exemption (continued from April 19, 2013 meeting)**

Position Number	40070-12-00-010-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Office of Conservation Resource Marketing
Functional Title	Office Director, Office of Conservation Resource Marketing
Incumbent	Vacant
Supervisor	Director
Location	Sangamon County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**D. Illinois Department of Central Management Services – Proposed Exemption**

Position Number	40070-37-70-300-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Office of Legal Services
Functional Title	Deputy General Counsel, Business Enterprise Program
Incumbent	Vacant
Supervisor	General Counsel for Legal Services who reports to the Director
Location	Sangamon County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**E. Illinois Department of Children & Family Services – Proposed Exemption**

Position Number	00502-16-00-300-01-03
Position Title	Administrative Assistant II
Bureau/Division	Director’s Office
Functional Title	Administrative Assistant
Incumbent	Vacant
Supervisor	Chief Legislative Liaison who reports to the Director
Location	Cook County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**F. Illinois Environmental Protection Agency – Proposed Exemption**

Position Number	37015-46-00-000-00-01 <sup>A</sup>
Position Title	Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Assistant Legislative Liaison
Incumbent	Vacant
Supervisor	Chief Legislative Liaison who reports to the Director
Location	Cook County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**G. Illinois Department of Human Services – Proposed Exemption**

Position Number	40070-10-90-010-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Family and Community Services
Functional Title	Assistant Director of the Div. of Family & Community Services
Incumbent	Vacant
Supervisor	Director of the Div. of Family & Community Services who reports to the Assistant Secretary who reports to the Secretary
Location	Cook County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**H. Illinois Department of Public Health – Proposed Exemption**

Position Number	13852-20-03-030-20-01
Position Title	Executive I
Bureau/Division	Government Affairs
Functional Title	Liaison
Incumbent	Vacant
Supervisor	Assistant Legislative Liaison who reports to the Deputy Director who reports to the Director
Location	Sangamon County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

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<sup>A</sup> Exemption was rescinded on November 16, 2012.

**WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?**

**C: Office Director, Office of Conservation Resource Marketing (Natural Resources)**

**D: Deputy General Counsel, Business Enterprise Program (Central Management Services)**

**E: Administrative Assistant (Children & Family Services)**

**F: Assistant Legislative Liaison (Environmental Protection)**

**G: Assistant Director of the Division of Family & Community Services (Human Services)**

**H: Liaison (Public Health)**

**I. Proposed Rescissions in accordance with Section 1.142(b) of the Rules of the Civil Service Commission**

On April 15, 2013 the Executive Director sent notice to the Director of Central Management Services of the proposed rescissions of 70 current 4d(3) exempt positions which may no longer meet the requirements for exemption. According to information provided by Central Management Services, these positions were granted exempt status but have been vacant for an extended period of time or are no longer qualified. Each affected agency director was also provided with a courtesy notice of this proposed action. After resolving a number of issues with several of the proposed rescissions, the following is a list of the positions that will now be put forth before the Commission for formal consideration of rescission of their exemption. Section 1.142(b) also provides that withdrawal of exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status positions which will ensure responsive and accountable administrative control of the programs of the agency.

<b>Item</b>	<b>Agency</b>	<b>Position Number</b>	<b>Functional Title</b>
I1	CMS	40070-37-30-000-40-01	BOB, Medical & Healthcare Portfolio
I2	CMS	40070-37-41-820-00-01	BOSS, GS, Contractual Labor & Specialty Services
I3	CMS	40070-37-60-020-10-01	Certification Coordinator
I4	CEO	37015-42-00-000-01-01	Legislative Liaison-International Trade Office
I5	CEO	40070-42-00-010-00-01	Director, Marketing & Publications
I6	CEO	40070-42-10-600-00-01	Regional Manager (West Central Region)
I7	DOC	40070-29-56-300-00-01	Assistant Warden Operations-Taylorville
I8	DOC	40070-29-88-200-00-01	Assistant Warden Programs-Logan
I9	FPR	37015-13-04-200-00-01	Legislative Liaison

<b>Item</b>	<b>Agency</b>	<b>Position Number</b>	<b>Functional Title</b>
I10	FPR	40070-13-00-300-00-01	Agency Procurement
I11	IGB	40070-50-69-000-20-01	Policy Advisor, Investigations & Legislation
I12	HPA	40070-48-00-100-00-01	Chief Financial Officer
I13	DHS	26404-10-21-000-00-01	Associate Director-Family Health
I14	DHS	40070-10-16-000-00-01	Assistant, Compliance Access & Workplace Safety
I15	DHS	40070-10-66-200-10-01	Assoc. Dep. Director, State Operated Development Center
I16	DJJ	40070-27-16-300-00-01	Assistant Warden Operations-Murphysboro
I17	DJJ	40070-27-17-300-00-01	Assistant Warden Operations-IYC Chicago
I18	DJJ	40070-27-20-200-00-01	Assistant Warden Programs-Harrisburg
I19	DJJ	40070-27-42-300-00-01	Assistant Warden Operations-Warrenville
I20	Labor	40070-15-30-100-00-01	Director, Fair Labor Standards
I21	DNR	40070-12-00-300-00-01	Project Manager, Regional Economic Development Plan
I22	SFM	37015-50-50-000-02-16	Legislative Liaison
I23	SFM	37015-50-50-100-00-16	Fire Safety Compliance Manager
I24	DVA	37015-34-00-000-02-01	Manager, Grants Writing & Proposals

**WILL THE COMMISSION RESCIND THE EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?**

- I1: BOB, Medical & Healthcare Portfolio (CMS)**
- I2: BOSS, General Services, Contractual Labor & Specialty Services (CMS)**
- I3: Certification Coordinator (CMS)**
- I4: Legislative Liaison-International Trade Office (CEO)**
- I5: Director, Marketing & Publications (CEO)**
- I6: Regional Manager-West Central Region (CEO)**
- I7: Assistant Warden Operations-Taylorville (DOC)**
- I8: Assistant Warden Programs-Logan (DOC)**
- I9: Legislative Liaison (FPR)**
- I10: Agency Procurement (FPR)**
- I11: Policy Advisor, Investigations & Legislation (IGB)**
- I12: Chief Financial Officer (HPA)**
- I13: Associate Director-Family Health (DHS)**
- I14: Assistant, Compliance Access & Workplace Safety (DHS)**
- I15: Associate Deputy Director, State Operated Development Ctr. (DHS)**

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- I16: Assistant Warden Operations-Murphysboro (DJJ)**
- I17: Assistant Warden Operations-IYC Chicago (DJJ)**
- I18: Assistant Warden Programs-Harrisburg (DJJ)**
- I19: Assistant Warden Operations-Warrenville (DJJ)**
- I20: Director, Fair Labor Standards (DOL)**
- I21: Project Manager, Regional Economic Development Plan (DNR)**
- I22: Legislative Liaison (SFM)**
- I23: Fire Safety Compliance Manager (SFM)**
- I24: Manager, Grants Writing & Proposals (DVA)**

VI. CLASS SPECIFICATIONS

- None submitted.

**WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY?**

VII. MOTION TO CLOSE A PORTION OF THE MEETING

**PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION CLOSE A PORTION OF THE MEETING TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION, AND/OR SPECIFIED EMPLOYMENT MATTERS?**

VIII. RECONVENE THE REGULAR OPEN MEETING

IX. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code; however, they do present a possible evasion of merit principles and should be monitored. Set forth below is the number of consecutive non-merit appointments made by each department. These statistics are from the Department of Central Management Services' Consecutive Non-Merit Appointment Reports.

<b>Agency</b>	<b>3/31/13</b>	<b>4/30/13</b>	<b>4/30/12</b>
Aging	0	<b>0</b>	1
Arts Council	0	<b>1</b>	1
Children and Family Services	2	<b>4</b>	3
Corrections	1	<b>0</b>	1
Employment Security	1	<b>0</b>	0
Healthcare and Family Services	2	<b>7</b>	3
Human Rights	0	<b>0</b>	1
Human Services	1	<b>0</b>	4
Insurance	1	<b>0</b>	0
Natural Resources	2	<b>1</b>	1
Property Tax Appeal Board	0	<b>2</b>	0
Public Health	1	<b>1</b>	0
Revenue	4	<b>1</b>	0
State Fire Marshal	0	<b>0</b>	0
State Police Merit Board	0	<b>1</b>	0
State Retirement Systems	1	<b>0</b>	0
Transportation	10	<b>2</b>	0
Veterans' Affairs	3	<b>2</b>	0
<b>Totals</b>	29	<b>22</b>	15

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X. INTERLOCUTORY APPEALS

**DA-29-13**

Employee	James E. Huddleston	Appeal Date	02/06/13
Agency	Corrections	Decision Date	04/19/13
Type	Discharge	ALJ	Andrew Barris
Issue(s)	No response to Motion to Dismiss or Amended Motion to Dismiss	Proposal for Decision	Dismissed subject to approval of the Commission; default (failure to provide info.)

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?**

**DA-33-13**

Employee	June Brooks	Appeal Date	3/01/13
Agency	Human Services	Decision Date	4/24/13
Type	Discharge	ALJ	Daniel Stralka
Issue(s)	Motion to Dismiss for no jurisdiction (late filing of appeal)	Proposal for Decision	Grant the Motion to Dismiss subject to approval of the Commission; no jurisdiction.

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?**

**DA-37-13**

Employee	Floyd S. Crenshaw	Appeal Date	4/02/13
Agency	Corrections	Decision Date	5/02/13
Type	Discharge	ALJ	Andrew Barris
Issue(s)	Motion to Dismiss because judicial verdict is still pending	Proposal for Decision	Deny Motion to Dismiss and refer back to ALJ for hearing.

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?**

XI. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEALS

**DA-3-13**

Employee	Lydia E. Johnson	Appeal Date	8/02/12
Agency	Human Services	Decision Date	5/03/13
Appeal Type	Discharge	Proposal for Decision	Discharge upheld.
ALJ	Daniel Stralka		

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?**

**DA-9-13**

Employee	William J. Watson	Appeal Date	9/06/12
Agency	Corrections	Decision Date	5/02/13
Appeal Type	Discharge	Proposal for Decision	Discharge upheld.
ALJ	Andrew Barris		

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?**

**RV-16-13**

Employee	Ukanno Foxworth	Appeal Date	10/23/12
Agency	Environmental Protection	Decision Date	04/19/13
Appeal Type	Rule Violation	ALJ	Andrew Barris
Issue(s)	Was Section 302.90 of the Personnel Rules violated when employee was not awarded a promotion to a position?	Proposal for Decision	No violation.

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?**

**RV-19-13**

Employee	Cathleen J. Hombs	Appeal Date	11/27/12
Agency	Corrections	Decision Date	04/17/13
Appeal Type	Rule Violation	ALJ	Andrew Barris
Issue(s)	Were Sections 310.100 & 310.490 violated by the employee's starting salary amount?	Proposal for Decision	No violation.

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?**

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XII. APPEAL TERMINATED WITHOUT DECISION ON THE MERITS

**DA-27-13**

Employee	Cathy D. Alexander	Appeal Date	2/01/13
Agency	Human Services	Decision Date	4/24/13
Appeal Type	Discharge	Proposal for	Dismissed subject to approval of the Commission; settled.
ALJ	Daniel Stralka	Decision	

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR  
DECISION IN THE ABOVE MATTER?**

XIII. STAFF REPORT

XIV. RECOGNITION OF COMMISSIONER ARES G. DALIANIS' SIX YEARS OF  
SERVICE

XV. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

**The next regular open meeting is to be held on Friday, June 21, 2013 at 10:30 a.m.  
in the Commission's Chicago office.**

XVI. MOTION TO ADJOURN